

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/831,164 Confirmation No. : 1111
First Named Inventor : Guenter ANDRASCHKO
Filed : August 9, 2001
TC/A.U. : 3634
Examiner : Gregory STRIMBU

Docket No. : 029209.49872
Customer No. : 23911

Title : Automatic Door or Window System

COMMUNICATION AND RE-SUBMISSION OF PETITION TO
WITHDRAW HOLDING OF ABANDONMENT

(Office Error)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, by way of the undersigned, re-submits the attached Petition to Withdraw Holding of Abandonment. The Petition was submitted to the Office on March 29, 2006, as is evidenced by the attached copy of the return receipt postcard bearing the OIPE stamp. This Petition has not been acted on by the Office.

On October 26, 2006, the office for undersigned contacted the Petitions Branch to make a status inquiry regarding this Petition. Steven Brantley, of the Petitions Branch, stated that the Office did not have record of the Petition's receipt and advised the Applicant to resubmit the Petition with proof of receipt by the Office thereof.

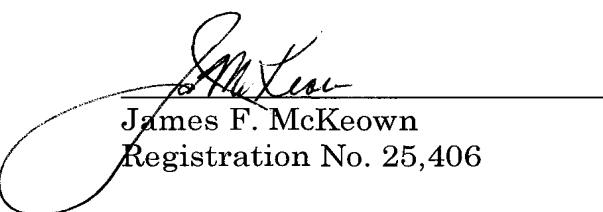
Serial No. 09/831,164
Communication
Attorney Docket No. 029209.49872US

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 029209.49872).

Respectfully submitted,

November 3, 2006


James F. McKeown
Registration No. 25,406

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JFM:pjc

Attorney Docket: 029209.49872US
First Named Inventor: Guenter ANDRASCHKO
Serial No.: 09/831,164
Filing Date: August 9, 2001

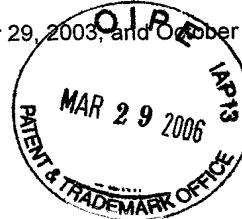
(28)

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

Petition to Withdraw Holding of Abandonment

Copies of docket records for August 29, 2003; September 29, 2003, and October 29, 2003

JFM:rcs



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/831,164
First Named Inventor : Guenter ANDRASCHKO
Filed : August 9, 2001
TC/A.U. : 3634
Examiner : G. Strimbu

Docket No. : 029209.49872US
Customer No. : 23911

Title : Automatic Door or Window System

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(a) and MPEP 711.03(c)I

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, by and through the undersigned attorney, respectfully petitions for revival of the above-identified application on grounds that abandonment thereof was unavoidable, or at the very least, unintentional. As the attorney in charge of the application has retired, the undersigned presents the following facts on information and belief.

During a telephone conversation between Examiner Gregory Strimbu and Donald D. Evenson, the retired attorney, on February 20, 2004, Mr. Evenson was advised that the above-identified application was abandoned for failure to respond to a Restriction Requirement mailed July 29, 2003. Examiner Strimbu

indicated that the Restriction Requirement was mailed to a previous address (Suite 700, 1200 G Street NW, Washington, DC 20005) although a Change of Correspondence Address giving the current address of applicant's representative law firm was filed in August 2001. Examiner Strimbu confirmed that the Change of Correspondence Address was received. Accordingly, the Change of Correspondence Address does not appear to have been entered.

Examiner Strimbu indicated that the Notice of Abandonment would be mailed to the correct address (P.O. Box 14300, Washington, DC 20044-4300), but the Notice was never received. Status inquiries were filed on March 7, 2003; March 26, 2004; and October 27, 2004, but no responses thereto were received.

Withdrawal of the holding of abandonment is hereby respectfully requested on grounds of non-receipt of the Restriction Requirement.

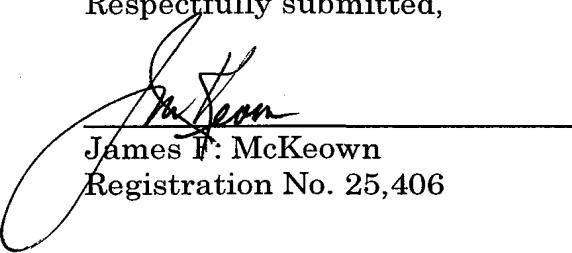
A search of the file jacket and docket records indicates that the Restriction Requirement dated July 29, 2003 was not received by the undersigned, applicants' counsel. Copies of counsel's docket records for August 29, 2003; September 29, 2003; and October 29, 2003 are enclosed, as the undersigned does not know how many months were provided for responding to the Restriction Requirement. The docket records contain no entry for the above-identified patent application.

No fee is believed due for this Petition. However, in the event a fee is required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 03-1323 (Ref. # 029209.49872US).

If there are any questions regarding this Petition or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Respectfully submitted,

March 29, 2006



James F. McKeown
Registration No. 25,406

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JFM:rcs

DAILY DUE DATES

August 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
38M0749752, PTM	PLC	TOM/TOM TB/TB/PCE	8/29/03	Repley, PCE	MH W/M 8/29/03
225M4/5/2008	PLC	Issue Fee Pre. C. Fee	7/2/03	Issue fee/Parker	MH 8/29/03
38M07482980	CRE	(no ext) Response		Collected	MH
951/50459	WCA	(no ext) TOM/NOA		Collected	MH
925M4/50870	PLC	(no ext) Response	8/27/03	Dismissed, (no ext). MH	MH
05000730366	PTM	(no ext) Response		Collected	MH
2070/12409	WJS	(no ext) Suspended (no ext) Renewal.		New susp. mailing mailed. Susp.-Susp.-Due. 11/20/04. MH	MH
1023320112	WJS			Collected	MH
09530950712	PLC	(no ext) Resp.	8/28/03	Response	RJD
04530950511	PLD	(1 mo) DA (est.)			
100337542770	PLT	(1 mo) DA Resp. -Refiled.	8/28/03	Repley	RJD MH
10035202444	WJS	(no ext) Holt		Collected	MH

DAILY DUE DATES

AUGUST 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
037/50337	VJS	Issue Fee Prob. Fee	8/29/03	Issue Fee Prob. Fee	W/M
037/50337	VJS	Torval Dr. - TBT	8/29/03	Torval Dr.	W/M
1748X/49777	CET	Issue Fee Prob. Fee	see matter sheet	Case transferred to Sneed on 8/29/03	W/M
1748X/49777	CET	Torval Dr.	- 11 -	- 11 -	W/M
225/50983	SZ	Issue Fee Prob. Fee	7/2/03	Issue Fee Prob. Fee	W/M 7/10/03
225/48917	CET	Torval Dr.	8/10/03	Answered	W/M
225/47924	VJS	Torval Dr.	8/29/03	Response Collected	W/M W/M
225/47923	VJS	on Response	Collected		W/M
225/51384	SZ	on Response	7/17/03	Reply	W/M 7/17/03
1210/51259	VJS	on Response	8/29/03	Hydro, Drugs, ADs copy	W/M
33MC/50431	HC	for Work	Collected		W/M

DAILY DUE DATES

SEPTEMBER 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
029310.5237605	HCI	Missing parts	9/26/03	Ex. DPA, IDS	SC
029310.5237705	KCL	Missing parts	9/25/03	Ex. DPA, Suppl. ex DPA	SC
029310.5195705	GAE	MISSING Reg. TBT	9/29/03	Ex. DPA, IDS, TBT	TC
000327.5427745	PCT	Missing (no ext) Response		Collected	TC
056207.50366	JHM	(no ext) Response		Collected	TC
373346.50431	HIC	(no ext) PCT + TBT	9/29/03	Reply (no ext), PCT	TC
22547924	VJS	(no ext)		Collected	TC
95150459	WCA	(no ext) TBT/Not	9/29/03	Amend, 2 no ext Hand carry Collected w/SC	TC
225479233	WCA	(no ext) OA Response		Collected	TC
233322142	WJS	(no ext) Response		Collected	TC
003522.10244	WJS	(no ext) Not.		Collected	TC

DAILY DUE DATES

September 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
38M/4829800	GPE	(Ruso et al) Response to Motion to Dismiss	9/29/03	Shared, Crossed JFC	JFC
225/48917	GPE	(Mo et al) MOTION TO DISMISS		Refiled JFC	JFC
29055/433 WO	JDC / KLI	Notification to cont.	9/26/03	Reply JFC	JFC

DAILY DUE DATES

OCTOBER 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
18600/12543	RS	Sou/East.	Sept 2003	See instruction Patti Screen John DS	for
09530951354	RND	Issue Fee Pub Fee	10/2/03	Issue fee/Pub Rec/PLC	for
0573916486	RS	Issue Fee	8/14/03	Issue Fee	for
029319515185	HIC	Issue Fee Pub Fee	9/11/03	Issue Fee Pub Fee	for
08043749180	JDS	Issue Fee Pub Fee	10/28/03	Issue fee/Pub Fee	for
05620950314	JFM	Issue Fee Pub Fee	10/28/03	Issue fee/Pub Fee	for
056204477K3	JFM	Issue Fee Pub Fee	10/28/03	Issue fee/Pub Fee	for
128B/50884	JDT	On Response	10/28/03	Issue fee/Pub Fee SEE ATTN Ren DB Abandon	for
1242/42657	JTF	Fox/MOT	10/27/03	After final reply Collected	for
05628548456	HIC	Fox/MOT		Rec'd	for
2257/50656	JDE	On Response	10/28/03	Copy Sub Spec. for	for

JDE

DAILY DUE DATES

OCTOBER 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
225/51434WS	GPT	On Response		Roll	
225/4957402 S2		On Response		Roll	
17844/49965	JDT	On Response	10/29/03	Response to be sent	
038739.23009	PS	Issue Fee	8/14/03	Issue fee	
100274.1294	GPT/WJS	SOU	8/14/03	SOU, Specimen	WJS
100274.12925	GWT/WJS	SOU	8/14/03	SOU, Specimen	WJS
038713.5250345	JDE	Missing Parts RBF	10/29/03	Miss At Dec. Post	
038819.52476WS	GRE	Missing Req. RBF	10/29/03	Response, Dic, Put, Miss Reg	
056207.50366	JTH	(3 mo ext) Response	10/29/03	(3 mo ext) Response	
225/47924	VJS	(2 mo ext) NOA	10/29/03	NOA 2 mo ext	
100352.12944	WJS	(3 mo ext) Roll	8/14/03	Client can not be found.	

TP

DAILY DUE DATES

October 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
225MU/50233	WCA	(2 mo ext) Response & Final Penseal.	10/29/03 See Attached	(Initial) Response. Case was reviewed per WSS & SDS	f
00337.54377NS	PLT	(2 mo ext) Response		Reel	f
225 48917	CRE	(2 mo ext) NOA.		Reel	f
951 50459	PER NOA	(3 mo ext) NOA.		Case being allowed	KRD
225 51090	VJS	Response.	10/15/03	Response	f
010479.50253cl	HIC	Response.	See Attached	Per HIC ABANDON	f